

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**GEORGE RALPH ELLIOTT,**

**Plaintiffs,**

**v.**

**Case No. 2:17-cv-42  
Judge Algenon L. Marbley  
Magistrate Judge Elizabeth P. Deavers**

**FIRST FEDERAL COMMUNITY  
BANK OF BUCYRUS,**

**Defendant.**

**ORDER**

The Court conducted a status conference, by telephone, on March 8, 2018. Counsel for all parties appeared and participated in the conference.

The Court advised the parties that it was inclined to grant Defendant's motion to amend its answer to add a foreclosure counterclaim and, since that conference, the motion has been granted. (ECF No. 55.) Plaintiff may respond to Defendant's Counterclaim within rule.

Defendant advised that it does not need additional discovery related to its Counterclaim and that it is ready to move for summary judgment on that claim. Plaintiff, however, anticipates that he will need approximately sixty (60) days to complete discovery related to the Counterclaim. Following the filing of responses to the Counterclaim,<sup>1</sup> the Court will establish a firm schedule for completing such discovery and for filing dispositive motions.

In light of this procedural posture, Defendant has agreed to withdraw its pending Motion for Summary Judgment (ECF No. 42) and, once the new schedule is established, Defendant

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<sup>1</sup> Defendant names Plaintiff, Virginia Golan-Elliott, and the Union County Treasurer in the Counterclaim.

anticipates filing one comprehensive motion that addresses Plaintiff's claims and the Counterclaim. The Clerk is therefore **DIRECTED** to remove Defendant's Motion (ECF No. 42) from the Court's pending motions list.

**IT IS SO ORDERED.**

Date: March 12, 2018

/s/ *Elizabeth A. Preston Deavers*  
ELIZABETH A. PRESTON DEAVERS  
UNITED STATES MAGISTRATE JUDGE